



## CITY OF KEY WEST

PO Box 1409 (1300 White St.)

Key West, FL 33041

licensing@cityofkeywest-fl.gov

# STREET ARTIST COCONUT PALM TREE ADDENDUM

(Revised 10/2017)

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Street Artist Permit #: \_\_\_\_\_

### **Sec. 110-255. - Removal of portions of coconut palm trees; permit required for sale.**

- (a) *Prohibited acts.* No person shall cause the removal of one or more fronds, nuts, or fruit of or any portion of the trunk or root system of or otherwise deface or damage any coconut palm located upon city-owned property, city streets, or city rights-of-way. No person shall cause the removal of any frond that is located within 45 degrees of the center of the tree trunk located on private property. Hurricane cuts (above the horizontal plane) are prohibited.
- (b) *Sale or distribution.* Any person who intends to sell or distribute coconut palm tree fronds or coconuts in any form on city streets, sidewalks or other public areas shall apply to the licensing division for a permit in accordance with the rules and regulations contained in sections 6-1 through 6-9 of the Key West Code of Ordinances. The permit holder shall display the permit at all times while doing business on city property. The permit holder shall also maintain on a daily basis, on a form provided by the city, a statement of the source of the palm fronds and/or coconuts, and a name and phone number of the private property owner who provided that source. There shall be a limit of five permits given per permit period as defined in section 6-2, and the city manager shall develop a lottery system for applicants. No permit shall be given to an applicant who intends to use or has been found in violation of removing fronds or coconuts from city-owned trees or trees located on city property. The city manager may revoke a permit upon evidence provided at a hearing of a permit holder's violation of this section or any provision of sections 6-1 through 6-9.
- (c) *Exceptions.* This section shall not apply to work conducted for a city purpose by contractors or by city employees or to Monroe County, state and federal agencies performing planting, maintenance, or removal functions with proper authorization.
- (d) *Enforcement; penalty.* An alleged violation of this section shall be referred directly to the code enforcement special master. When the special master cannot secure compliance, the penalties provided by section 1-15 shall apply.

(Ord. No. 97-10, § 1(3-14.5(A)), 7-3-1997; Ord. No. 99-08, § 4, 5-18-1999; Ord. No. 04-20, § 8, 11-3-2004; Ord. No. 10-20, § 1, 10-5-2010; Ord. No. 13-16, § 1, 9-4-2013)

I have read and agree to abide by section 110-255, City of Key West Municipal Code (above).

Signature: \_\_\_\_\_

[illegible]



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# **STREET ARTIST PALM FROND / COCONUT LOTTERY PROCEDURE**

(Revised 10/2017)

In accordance with section 110-255, City of Key West Municipal Code, there shall be a limit of five (5) permits given per permit period for the use of coconut palm fronds and/or coconuts by street artists.

If on November 1 of any given year the number of coconut palm permits falls below 5, the Licensing Division will accept Street Artist Coconut Palm Tree Addendum requests during the month of November. The addendum must be accompanied by either a) a copy of the street artist's existing permit badge, or b) a completed street artist permit application.

On a date to be determined by the Licensing Official each year, which will be between December 1st and December 15th, a lottery drawing will be held to determine the five coconut palm permits that will be awarded for the following calendar year. Applicants are welcome to attend the drawing, but attendance is not required. At least one city employee from a department other than the City of Key West Building Department will act as a witness of the drawing.

The lottery process will be as followed:

- 1) Each of the applicants will be assigned a number
- 2) All numbers will be deposited into a container
- 3) The Licensing Official will select five numbers from the container, which will represent the five permits to be awarded
- 4) The remainder of the numbers will be drawn to determine the order that any additional permits will be assigned should any of the first five not complete the application process or voluntarily surrender his/her request for the permit.

The first five numbers drawn must have an active street artist permit, or must complete the application process with payment in full no later than end of business day December 20<sup>th</sup> (or the first workday thereafter). If all five permits have not been paid in full as of December 21<sup>st</sup>, the next person in line will be contacted, and will have 48 hours to complete the application process with payment in full. This process will continue until all five permits have been successfully issued.

If during the course of the year a permit comes available, the person that is next in line will be contacted and will have the opportunity to complete the application process for the permit. Street artist coconut palm tree permits are non-transferable. In all cases, the Licensing Department will make a reasonable attempt at contacting the applicable individuals, so phone numbers and e-mail addresses should be kept updated to facilitate this process.